

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Thomas James Mashburn and Jessica)
Nichole Mashburn,)
Plaintiffs,) **ORDER ADOPTING STIPULATION
TO MODIFY SCHEDULING PLAN
AND RESETTING FINAL PRETRIAL
CONFERENCE AND JURY TRIAL**
vs.)
Caisee Sandusky, in her individual capacity;)
Jason Sundbakken, in his individual capacity;)
the City of Minot, a political subdivision of the)
State of North Dakota; Jay Rasberry; Collin) Case No. 4:13-cv-062
Ferguson; Joseph Brann; Marina Carillo)
Matthews; and Miranda Nichols,)
Defendants.)

On November 4, 2014, the parties filed a “Stipulation and Motion for Modification of Scheduling/Discovery Plan.” On November 17, 2014, the court held a telephonic status conference to discuss the need to reset the trial as the result of the proposed changes.

Pursuant to the parties’ agreement, the jury trial is reset for December 7, 2015 at 9:30 a.m. in Bismarck before Judge Hovland. The trial is set for ten (10) days. The final pretrial conference is reset for November 24, 2015 at 1:30 p.m. by telephone before Judge Miller. The court will provide the parties a number to call in advance of the telephone conference.

The parties also agreed that as a result of new trial date, all deadlines proposed in the stipulation to amend the scheduling plan should be extended by two (2) months. Accordingly, the court **ADOPTS** the stipulation and **GRANTS** the motion (Docket No. 83) as follows:

1. The parties shall have until May 1, 2015, to complete fact discovery and to file discovery motions.

2. The plaintiffs shall provide the names of expert witnesses and complete reports under Fed. R. Civ. Rule 26(a)(2) by June 1, 2015. Defendants shall provide the names of expert witnesses and reports under Fed. R. Civ. Rule 26(a)(2) by June 30, 2015.
3. The parties shall have until July 30, 2015, to complete discovery depositions of expert witnesses.
4. The parties shall have until May 20, 2015, to file other nondispositive motions (e.g., consolidation, bifurcation).
5. The parties shall have until June 15, 2015, to file other dispositive motions.

IT IS SO ORDERED.

Dated this 17th day of November, 2014.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr., Magistrate Judge
United States District Court